

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING CORPORATION COMMISSION FIXED UTILITIES

Editor's Note: Because the Corporation Commission is a separately elected constitutional body, the following Notice of Rulemaking Docket Opening was exempt from the Governor's Regulatory Review Plan memorandum, January 22, 2009. (See a copy of the memorandum in this issue on page 685.)

[R09-36]

- 1. Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation
- Chapter and its heading:** 2, Corporation Commission – Fixed Utilities
- Articles and their headings:** 2, Electric Utilities; 5, Telephone Utilities;
- Section numbers:** R14-2-207, R14-2-208, R14-2-209, R14-2-506, R14-2-507

- 2. The subject matter of the proposed rule:**
The proposed changes will update references to the 1997 National Electrical Safety Code to the 2007 edition, update the reference to the 1995 ASME Code for Pressure Piping to the 2007 edition, which has a revised title; update the reference to the 1989 American National Standard for Electric Power Systems and Equipment-Voltage Ratings (60 Hertz) to the 2006 edition; update the reference to the 1995 American National Standard Code for Electricity Metering to the 2008 edition, which has a revised title; expressly identify the publishers of the materials incorporated by reference, to be consistent with Arizona Revised Statutes (A.R.S.) § 41-1028 and the rules of the Secretary of State; update the mailing addresses and add web site addresses for the publishers of the materials incorporated by reference; change the location where the materials incorporated by reference are on file, from the Office of the Secretary of State to the Commission, to be consistent with A.R.S. § 41-1028 and the rules of the Secretary of State; and make minor stylistic revisions to the affected subsections to make the subsections more clear, concise, and understandable.

The agency docket number, if applicable:

RE-00000C-08-0394 and RT-00000J-08-0394

- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 15 A.A.R. 630, April 17, 2009 (*in this issue*)

- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Nancy Scott, Esq.
Attorney, Legal Division, Corporation Commission

Address: 1200 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 542-3402

Fax: (602) 542-4870

E-mail: nscott@azcc.gov

or

Name: Steve Olea
Assistant Director, Utilities Division, Corporation Commission

Address: 1200 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 542-7270

Fax: (602) 542-2129

E-mail: solea@azcc.gov

- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Public comment will be held on June 4, 2009, beginning at 10:00 a.m. or as soon as practicable thereafter, in Hearing Room 1 at the Commission's Phoenix offices of the Corporation Commission located at 1200 W. Washington St.,

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Phoenix, AZ 85007. The Hearing Division requests that initial written comments be received on or before May 18, 2009 and that responsive comments be received on or before June 1, 2009. However, written comments will be accepted through June 4, 2009. Comments should be submitted to Docket Control at the above address. Please reference docket number RE-00000C-08-0394 and RT-0000J-08-0394 on all documents.

6. A timetable for agency decisions or other action on the proceeding, if known:

The Commission will likely bring this to Open Meeting for final approval in mid-summer, 2009. Notice of Proposed Rulemaking: 15 A.A.R. 630, April 17, 2009 (*in this issue*)